IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 2ND NOVEMBER 2007 / 11TH KARTHIKA 1929

WP(C).No. 23859 of 2007(M)

PETITIONER:

RAJAN @ DASAN,
S/O CHAMU, AGED 53 YEARS,
POONDAYIL HOUSE, MEZHUKUMPARA,
THENKARA P.O., MANNARKKAD, PALAKKAD DIST.

BY ADV. SRI.K.MOHANAKANNAN
SMT.A.R.PRAVITHA

RESPONDENTS:
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1. THE MANNARKKAD CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD., REPRESENTED BY ITS SECRETARY, MANNARKKAD, PALAKKAD DISTRICT.

2. THE SPECIAL OFFICER, MANNARKKAD CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD., OFFICE OF THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES(GENERAL), MINI CIVIL STATION, MANNARKKAD, PALAKKAD DISTRICT.

BY ADV. SRI.P.K.VIJAYAMOHANAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	**TRUE COPY OF THE PASS BOOK OF THE PETITIONER ISSUED FROM THE RESPONDENT BANK**
EXT.P2	**TRUE COPY OF THE MONEY RECEIPT NO.7993 DTD. 5-4-01 ISSUED FROM THE RESPONDENT BANK**
EXT.P3	**TRUE COPY OF THE JUDGMENT DTD. 21-6-01 IN O.P.NO.11980/01 OF THIS COURT.**
EXT.P4	**TRUE COPY OF THE MONEY RECEIPT DTD. 16-03-05 ISSUED FROM THE RESPONDENT BANK**
EXT.P5	**TRUE COPY OF THE CIRCULAR NO.27/2006 ISSUED BY THE REGISTRAR OF CO-OPERATIVE SOCIEITIES.**
EXT.P6	**TRUE COPY OF THE APPLICATION DTD. 19-12-06 BEFORE THE RESPONDENT BANK**
EXT.P7	**TRUE COPY OF THE COMMUNICATION DTD. 16-06-207 RECEIVED FROM THE RESPONDENT BANK BY THE PETITIONER.**
EXT.P8	**TRUE COPY OF THE SALE NOTICE DTD. 9-5-07 ISSUED FROM THE RESPONDENT BANK.**
EXT.P9	**TRUE COPY OF THE OBJECTION FILED BY THE PETITIONER BEFORE THE RESPONDENT BANK ON 20-07-2007**
EXT.P10	**TRUE COPY OF THE SALE NOTICE DTD. 3-07-07 ISSUED BY THE RESPONDENT BANK**
EXT.P11	**TRUE COPY OF THE REPLY DTD. 21-07-07 SENT BY THE PETITIONER TO THE RESPONDENT BANK.**

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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W.P.(c).No.23859 OF 2007

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Dated this the 2nd day of November, 2007

JUDGMENT

The only prayer pressed by the learned counsel for the petitioner that a decision may be directed to be taken on Ext.P6 by the first respondent. According to the petitioner, he has paid the entire amount due and nothing remains to be paid. This is of course disputed by the counsel for the respondent-Bank. Counsel for the respondent-Bank submits that a decision will be taken on Ext.P6 and communicated to the petitioner.

In such circumstances, the writ petition is disposed of directing the first respondent to consider and take a decision on Ext.P6 in accordance with law and communicate the same to the petitioner within a period of three weeks from the date of receipt of a copy of this judgment. Till such time as a decision is taken and communicated, recovery proceedings will be kept in abeyance.

(K.M.JOSEPH, JUDGE)

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